

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 0 9 2003

Art Group: 2643

**Technology Center 2600** 

Examiner: Not Assigned

In Re the Application of:

CURTIS E. JUTZI

Application No.: 09/941,424

Filed: August 28, 2001

For: SERVER-SIDE PREFERENCE

PREDICTION BASED ON CUSTOMER

**BILLING INFORMATION TO** 

GENERATE A BROADCAST SCHEDULE

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### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

The references were cited in a Search Report dated March 4, 2003 (copy enclosed herewith) from a foreign patent office in a counterpart EPO application.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: June 03, 2003

Forzad E Amini Dog Ma

Farzad E. Amini, Reg. No. 42,261

12400 Wilshire Blvd., 7th Floor Los Angeles, California 90025 (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

06-03-03

a (Date

MIG (		Application No.	09/941,424		26
TRANSMITT	AL FORM	Filing Date	August 28, 2001	RECE	\/[
(to be used for all correspon	dence after initial filing)	First Named Inventor	Curtis E. Jutzi		v E
•		Group Art Unit	2643	JUN 0	20
		Examiner Name	Not Assigned	Technology Ce	nte
Total Number of Pages in Thi	s Submission 13	Attorney Docket Number	42390P11870		
	ENCLOSURES (chec	ck all that apply)			
Fee Transmittal Form	Drawing(s	)	After Allowance to Group	Communication	
Fee Attached	Licensing-r	related Papers	Appeal Commu of Appeals and I	nication to Board Interferences	
Amendment / Response	Petition	•	Appeal Commu. (Appeal Notice,	nication to Group Brief, Reply Brief)	
After Final Affidavits/declaration(	s)	Convert a Application	Proprietary Info	rmation	
Extension of Time Request		ttorney, Revocation Correspondence Address	Status Letter  Other Enclosure	o(c)	
Express Abandonment Request			(please identify	below):	
Information Disclosure Statement  PTO/SB/08  Request for  CD. Number		r Refund er of CD(s)	Copies of cited Return receipt		
Certified Copy of Priority Document(s)	CD, Numb	ei di OD(s)			
Response to Missing Parts/ Incomplete Application		1			
Basic Filing Fee	Remarks				
Declaration/POA	IDS				
Response to Missing Parts under 37 CFR 1.52 or 1.53					
	GNATURE OF APPLICA	NT, ATTORNEY, OR AG	SENT		
Firm Farzad	E. Amini, Reg. No. 4	12,261			
or	KELY, SOKOLOFF,		MAN LLP		
	med Dr	-	22 \ 20242		
	3, 2003				

Signature

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Date

June 3, 2003

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06/03/03

Date

FEE TRANSMITTAL for FY 2003	T -	Complete if Known JUN U 9 200	}
	Application Number	09/941,424 _	
for FY 2003	Filing Date	August 28, 200 Technology Center	2600
Effective 01/01/2003. Patent fees are subject to annual revision.	First Named Inventor	Curtis E. Jutzi	
Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name	Not Assigned	
	Group/Art Unit	2643	
TOTAL AMOUNT OF PAYMENT (\$)	Attorney Docket No.	42390P11870	

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)					
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None	3. A	OITIO	NAL	FEES		
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  ☐ Deposit Account	Large	Entity	Sma	II Entity	y	
Depusit Account	Fee	Fee	Fee	Fee	_	
Deposit Account Negative 02-2666	Code	(\$)	Code	(\$)	Fee Description Fee	Paid
Number 02-2000	1051 1052	130 50	2051 2052	65 25	Surcharge - late filing fee or oath	$\exists I$
Deposit Account District Calculate Toylor & Zofmon LLD	1052	30	2002	25	Surcharge - late provisional filing fee or cover sheet.	
Name Blakely, Sokoloff, Taylor & Zafman LLP	2053	130	2053	130	Non-English specification	
The Commissioner is authorized to: ( check all that apply)	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge fee(s) indicated below Credit any overpayments	1804	920 *	1804	920	* Requesting publication of SIR prior to Examiner action	
Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.	1805	1,840 *	1805	1,840	* Requesting publication of SIR after	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account		4.5			Examiner action	
	1251	110	2251	55 ~~~	Extension for reply within first month	<b> </b>
FEE CALCULATION	1252	410	2252	205	Extension for reply within second month	
1. BASIC FILING FEE	1253	930	2253	465 705	Extension for reply within third month  Extension for reply within fourth month	
Large Entity Small Entity  Fee Fee Fee Fee Description Fee Paid	1254	1,450	2254	725	Extension for reply within fifth month	
Code (\$) Code (\$)	1255 1404	1,970 320	2255 2401	985 160	Notice of Appeal	
1001 750 2001 375 Utility filing fee	1402	320	2402	160	Filing a brief in support of an appeal	— ]
1002 330 2002 165 Design filing fee	1403	280	2403	140	Request for oral hearing	
1003 520 2003 260 Plant filing fee	1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1004 750 2004 375 Reissue filing fee	1452	110	2452	55	Petition to revive - unavoidable	
	1453	1,300	2453	650	Petition to revive - unintentional	
SUBTOTAL (1) (\$)	1501	1,300	2501	650	Utility issue fee (or reissue)	
2. EXTRA CLAIM FEES Extra Fee from	1502	470	2502	235	Design issue fee	-11
Claims below Fee Paid	1503	630	2503	315	Plant issue fee	-11
Total Claims 20 = X = X	1460	130	2460	130	Petitions to the Commissioner	-11
Independent . 3 = X = X	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_
Multiple Dependent =	1806	180	1806	180	Submission of Information Disclosure Stmt	
Large Entity Small Entity	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
Fee Fee Fee <u>Fee Description</u> Code (\$) Code (\$)	1900	750	1809	375	Filing a submission after final rejection	
1202 18 2202 9 Claims in excess of 20	1809		1009	5/5	(37 ČFR § 1.129(a))	
1201 84 2201 42 Independent claims in excess of 3	1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1203 280 2203 140 Multiple Dependent claim, if not paid	1991	750	2801	275	Request for Continued Examination (RCE)	<b> </b>
1204 84 2204 42 **Reissue independent claims over original patent	1801 1802	750 900	1802	375 900	Request for expedited examination	
1205 18 2205 9 **Reissue claims in excess of 20 and over		e (specify)	1002	300	of a design application	
original patent	00101100	c (specify)				
SUBTOTAL (2) (\$)			<b>-</b>		<u> </u>	
**or number previously paid, if greater, For Reissues, see below	Reduced	l by Basic	riling Fo	e Paid	SUBTOTAL (3)	
SUBMITTED BY	-				Complete (if applicable)	$\dashv$
Name (Print/Type) Farzad E. Amini		egistratio torney/Age			42,261 Telephone (310) 207-380	$\overline{00}$

Signature

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Sheet 1 of

Complete if Known				
Application Number	09/941,424			
Filing Date	August 28, 2001			
First Named Inventor	Curtis E. Jutzi			
Art Unit	2643			
Examiner Name	Not Assigned			
Attorney Docket Number	42390P11870			

			U.S. PAT	ENT DOCUMENTS	
		Document Number	Publication Date	Manua of Datastan or	Pages, Columns, Lines, Where
Examiner Initials*	Cite No.1	Number - Kind Code² (if known)	or Issue Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-5,838,678	11-17-1998	Davis et al.	
		US-			
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		US-			
		US-			JUN 0 9 2003
		US-			
		US-			Technology Center 260
		US-			

Г	FOREIGN PATENT DOCUMENTS						
Examiner	Examiner Cite	Foreign Patent Document			Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	т6	
Initials*	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document		T°	
		EP1089571A2	04-04-2001	Sony Corporation			
		EP1043892A1	03-16-2000	Sony Corporation			
		WO0059204A	10-05-2000	Diva Systems Corp.			
	<u> </u>		<u></u>				
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	L						

Examiner	Date	
Signature	Considered	

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (05-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 05/02/2003.

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

	Complete if Known	Technology Cente	r 2600
Application Number	09/941,424		
Filing Date	August 28, 2	2001	
First Named Inventor	Curtis E. Jutz	zi	
Art Unit	2643		
Examiner Name	Not Assigned	d	
Attorney Docket Number	42390P1187	70	

	OTHER ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
		"Information Technology - Generic Coding of Moving Pictures and Associated Audio Information - Part 1: Systems Recommendation H.222.0 ISO/IEC 13818-1". ISO/IEC JTC1/SC29/WG11/N0801, Geneva, CH, 13 November 1994, SP002033056 cited in the application. Page X - page XIV; page 21, paragraph 2.4.3 page 43; page 84; page 119; figure 1.		
	- 19-1			
	·			

Examiner	Date	
Signature	Considered	

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>1</sup>Applicant's unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08B (05-03) as modified by Blakely, Solokoff, Taylor & Zafman (wtr) 05/02/2003. Send To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450